

Docket No.: 064235-0014

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Yasushi KANADA	:	Confirmation Number: 8399
Application No.: 10/697,553	:	Group Art Unit: 2614
Filed: October 31, 2003	:	Allowed: November 27, 2006
	:	Examiner: Benny Q. Tieu
For: HUMAN COMMUNICATION SYSTEM	:	

**COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the November 27, 2006 Notice of Allowability regarding the above-identified application. Although Applicant agrees that the claims are patentable over the art, entry of the Statement into the record should not necessarily be construed as any agreement with or acquiescence by Applicant in the particular reasoning set forth in the Statement, particularly to the extent that the wording used in the Statement differs from the actual language of individual claims and/or from the otherwise proper interpretation of the claim language.

The Statement sets forth a single rationale for patentability with respect to all of the allowed claims. However, with respect to the allowable subject matter, the language of the Statement (page 3, starting in the third line) is virtually an exact quotation of claim 1. As such, the Statement overlooks differences in the wording and scope of the allowed claims. It is

submitted that each claim is independently patentable in its own right, not just for one general reason as suggested by the Statement. Furthermore, the patentable language of the allowed claims is already of record in the case and is adequately clear. Hence, repetition of claim language in the Statement adds nothing substantive to the record and should not create any narrowing interpretation or estoppel with regard to any of the allowed claims or any of the recitations contained in the allowed claims.

The claims have been allowed in the first action on the merits, without any rejection in this case. It is respectfully submitted that the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims and the supporting disclosure, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Keith E. George
Registration No. 34,111

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 KEG:MWE
Facsimile: 202.756.8087
Date: February 20, 2007

**Please recognize our Customer No. 20277
as our correspondence address.**